

MISCELLANEOUS FOOD PRODUCTS

4692. Misbranding of matte. U. S. v. 53 Dozen Tins and 25 Cases of Little's Brazilian Tea (Matte). Default decree of condemnation and destruction. (F. D. C. Nos. 7857, 7931. Sample Nos. 95541-E, 11181-F.)

This product was labeled to indicate that it was the usual tea of commerce whereas it was matte. It was short of the declared weight. One of the lots was falsely represented to contain vitamin C.

On July 18, 1942, the United States attorney for the Northern District of California filed a libel against 53 dozen tins and 25 cases, each containing 12 cartons of 12 tins each, of the above-named product, at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about May 29 and July 15, 1942, by Little & Co., Inc. from Chicago, Ill. The article was labeled in part: (Tin) "Little's Brazilian Tea (Matte) Net Wt. 1¼ Ozs." A portion was further labeled, in part: "Rich in Minerals and vitamin C."

The article was alleged to be misbranded (1) in that the prominent word "tea" on the labeling was false and misleading, since the article was not the usual tea of commerce; (2) in that the statement, "Net Wt. 1¼ Ozs.," was false and misleading as applied to an article that was short weight; (3) in that it was in package form and did not bear a label containing an accurate statement of quantity of contents; and (4) in that the statement on the labeling of a portion "Rich in * * * Vitamin C" was false and misleading, since no vitamin C was found.

On January 29, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4693. Adulteration of dill pickles. U. S. v. 142 Cases of Dill Pickles. Default decree of condemnation and destruction. (F. D. C. No. 9238. Sample Nos. 18759-F, 18947-F.)

This product contained insect fragments and rodent hair fragments.

On January 23, 1943, the United States attorney for the Southern District of New York filed a libel against 142 cases of dill pickles at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about December 16, 1942, by the Rosehill Packing Co., Inc., from Rosehill, N. C., to Newark, N. J., and had been reshipped to New York, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance and in that it had been prepared under insanitary conditions whereby it may have become contaminated with filth. The article was labeled in part: (Jars) "Processed Dill Pickles * * * Sunbeam * * * Francis H. Leggett & Co., Distributors, New York, N. Y., U. S. A."

On February 17, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4694. Adulteration of hot sauce. U. S. v. 150 Cases and 29 Cases of Hot Sauce. Default decrees of condemnation and destruction. (F. D. C. Nos. 9026, 9027. Sample Nos. 37603-F, 37604-F.)

This product contained insect fragments.

On December 16, 1942, the United States attorney for the Eastern District of Michigan filed libels against 150 cases, each case containing 24 bottles, of hot sauce at Detroit, Mich., and 29 cases at Pontiac, Mich., alleging that the article had been shipped in interstate commerce within the period from on or about July 3 to November 19, 1942, by the J. J. Garvey Co., from New Orleans, La.; and charging that it was adulterated in that it contained in whole or in part a filthy substance and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: (Bottles) "Garvey's Louisiana 'Hot Stuf.'"

On January 26, 1943, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

4695. Adulteration and misbranding of alfalfa meal. U. S. v. Oliver W. Randolph (Randolph Alfalfa Co.). Plea of nolo contendere. Fine, \$1. (F. D. C. No. 8733. Sample Nos. 68222-E, 68223-E.)

On December 17, 1942, the United States attorney for the Eastern District of Michigan filed an information against Oliver W. Randolph, trading as Randolph Alfalfa Co. at Erie, Mich., alleging shipment on or about April 20, 1942, from the State of Michigan into the State of Maryland of quantities of alfalfa meal that was adulterated and misbranded. The article was labeled in part: "Alfalfa Meal Medium Coarse Ground [or "Dehydrated Alfalfa Meal"] * * * Manufactured for The National Alfalfa Co. Toledo, Ohio."